IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1937 OF 2005

Shri Bapusaheb Malgonda Patil ..Petitioner

Vs.

The Thane Municipal Corporation
Through its Commissioner. ..Respondent

Ms. N.V. Thatte h/f Mr.S.M. Oka for petitioner.
Mr. M.V. Limaye h/f Mr. R.S. Apte for respondent no.1.

CORAM: B.H. MARLAPALLE & NARESH H. PATIL,JJ.

Date : September 21, 2006.

P.C.:

1. The petitioner is aggrieved by the property tax levied by the respondent no.1 i.e. Thane Municipal Corporation and for the said grievance there is a statutory remedy provided under the Bombay Provincial Municipal Corporation Act 1949. We, therefore, do not find it appropriate to entertain this petition and the petitioner is relegated to the alternative remedy.

2. If the petitioner files an appeal before the Corporation or the Corporation Court within a period

of four weeks from today, we direct that the appeal be decided on its own merits and for condoning delay, if any, the period of pendency of this petition shall be taken into consideration.

3. Petition disposed off accordingly.

(Naresh H. Patil, J.) **(B.H. Marlapalle,J.)**